

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE


UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 3:19-CR-19-PLR-DCP
	)	
ROBERTO ESQUIVEL-ALONSO,	)	
	)	
Defendant.	)	
	)	

**REPORT AND RECOMMENDATION**

Pursuant to 28 U.S.C. § 636(b), the undersigned conducted a change of plea hearing in this case on February 19, 2019. Assistant United States Attorney William A. Roach, Jr., appeared on behalf of the Government. Assistant Federal Defender Mary Margaret Kincaid represented Defendant Esquivel-Alonso, who was also present and participated with the aid of an interpreter. At the hearing, Defendant entered a plea of guilty to both counts in the Information [Doc. 24], in exchange for the commitments made by the Government in the written plea agreement and plea agreement supplement, specifically the thirty-three month agreed sentence, pursuant to Rule 11(c)(1)(C) of the Federal Rules of Criminal Procedure. On the basis of the record made at the hearing, the undersigned finds the Defendant is fully capable and competent to enter an informed plea; the plea is made knowingly and with full understanding of each of the rights waived by Defendant; the plea is made voluntarily and free from any force, threats, or promises, apart from the promises in the plea agreement; the Defendant understands the nature of the charge and penalties provided by law; and the plea has a sufficient basis in fact.

Therefore, the undersigned **RECOMMENDS** that Defendant's guilty plea to transporting illegal aliens for financial gain (Count One) and reentry by an illegal alien previously deported subsequent to a conviction for an aggravated felony (Count Two), the two counts in the Information, be granted and accepted by the District Judge and that the District Judge adjudicate Defendant guilty of the charge set forth in the Information. The undersigned further **RECOMMENDS** that Defendant remain in custody until sentencing in this matter. Adjudication of guilt and imposition of sentence are specifically reserved for the District Judge.<sup>1</sup>

Respectfully submitted,

  
Debra C. Poplin  
United States Magistrate Judge

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<sup>1</sup>The Court notifies the parties of the following: You have the right to *de novo* review by the District Judge of the above findings. Any application for review must be in writing, must specify the portions of the findings or proceedings to which the party objects, and must be filed and served no later than **fourteen days** after the change of plea hearing. Failure to file objections within fourteen days constitutes a waiver of any further right to challenge the plea of guilty in this matter. See 28 U.S.C. § 636(b).